

REMARKS

Claims 1-42 are currently pending in the application. No amendments are made at this time, because Applicants believe that claims 1-42 contain allowable subject matter. Reconsideration and withdrawal of all pending objections and rejections in view of the following remarks is respectfully requested.

Applicants note that the rejections set forth in the Office Action duplicate those made in the Office Action of April 9, 2004. Each of these rejections was traversed in Applicants' Response filed on July 8, 2004. Accordingly, these traversals and accompanying remarks are herein incorporated by reference and restated in their entirety, except for certain typographical errors discussed below.

On page 7 of the Office Action, the Examiner noted the following arguments:

- (a) Nothing in Glommen teaches defeating Internet Caching.
- (b) Glommen does not send a non-cacheable single pixel GIF request.
- (c) Glommen does not teach or disclose storing and processing enriched data contained in a single pixel GIF request at all.
- (d) Glommen does and is non-cacheable single pixel GIF request.

Regarding (a), the Examiner remarks that "defeating internet caching" is not mentioned in the claims. Claim 1, however, recites "an uncacheable single pixel GIF request." Because the single pixel GIF is not cacheable, internet caching is defeated. Consequently, this feature, which is not taught in Glommen, is recited in the claims.

Regarding (b)-(c), the Examiner argues that Glommen teaches a non-cacheable graphical image that is tagged or embedded within the html code of the web page that is sent to the server in order to process the tracking information of the user activity (enriched data). As explained in Applicants' prior responses, Glommen, at col. 6, lines 53-59 (a passage cited by the Examiner), together with Figure 2, teaches that "an image source file [is] located at the traffic analysis server." Clearly, Glommen teaches that the graphical image source is cached at a server.

A distinction between Glommen and the claimed invention is that Glommen stores data in a cookie and uses an image request to transmit the cookie, whereas the claimed invention reads and stores enriched data in an uncacheable single pixel GIF request, without use of a cookie. *Glommen*, at col. 10, lines 1-4; col. 6, lines 41-45 and 53-59 explains that a traffic

analysis server uses cookies to track a user's progress through a series of web pages hosted by a web server. The cookie is initially created by the traffic analysis server during a web browser's first visit to a web page. Special html tags embedded in each web page ensure that each time a web page is viewed, path analysis data will be transferred to the traffic analysis server via a cookie. *Id.* In particular, the special html tags link to an image source file cached on the traffic analysis server. The image source request is used to transport the cookie containing the path analysis data back and forth between the traffic analysis server each time a web page is viewed. *Id.*

Thus, contrary to the claimed invention, Glommen only uses an image request to transmit a cookie which contains path analysis data, and Applicants do not concede that Glommen's image request is directed to a single pixel GIF, as claimed. However, even if Glommen's image request were directed to a single pixel GIF, nothing in Glommen teaches or suggests reading or storing enriched data contained in the request itself, as recited in independent claims 1, 17, and 32. For these reasons, claims 1, 17, and 32, together with their respective dependent claims, patentably distinguish over Glommen, and are in condition for allowance.

Regarding (d), the Examiner remarks that Applicants admit that Glommen does teach a non-cacheable single pixel request as claimed in independent claims 1, 17, and 32. This is incorrect. The words quoted from page 4 of Applicants' Response are not an admission. First, they do not read as a complete sentence. Second, and most importantly, they are the result of an inadvertent typographical error, which substantially duplicated the two sentences immediately following. The paragraph quoted by the Examiner should read:

Glommen teaches using the cookie to store data and only uses an image request as the mechanism to transmit the cookie. Nothing in Glommen teaches defeating internet caching, *e.g.*, Glommen does not send a non-cacheable single pixel GIF request as claimed. In fact, Glommen does not teach or disclose storing and processing enriched data contained in a single pixel GIF request at all. In contrast to the claimed invention, Glommen's invention will only work if the end user client is configured (i) to accept cookies, (ii) allow java script execution, and (iii) retrieve image files. The claimed invention, however, works even when the client browser is not configured to (i) allow java script and is configured to not allow cookies. This is important because many client browsers are not configured to accept cookies and/or are not configured to execute java script. Thus, as claimed, the invention merely requires that a client browser be configured to retrieve image files.

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CONCLUSION

In view of the foregoing remarks, Applicants submit that all of the rejections have been overcome, and that the claims are patentably distinct from the prior art of record and in condition for allowance. The Examiner is respectfully requested to pass the above application to issue, and to contact the undersigned at the telephone number listed below, if needed. Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **Deposit Account No. 09-0547** (Endicott).

Respectfully submitted,



Andrew M. Calderon
Reg. No. 38,093

McGuireWoods LLP
1750 Tysons Boulevard
Suite 1800
McLean, VA 22102-4215
Tel: 703-712-5426
Fax: 703-712-5285

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